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October 24, 2005

Ms. Constance Holland, Director
Office of State Planning Coordination
540 South DuPont Highway
Dover DE 19901

BY FAX

Re: PLUS review – PLUS 2004-11-02 General's Green

Dear Ms. Holland,

The following constitutes Riverview Associates' response to the December 16, 2004 PLUS comments. Since the PLUS comments were received, the site plan has been revised three times in accordance with the State's comments, comments from the Dagsboro Town Council, and recommendations made by land use consultants for the Town of Dagsboro, URS Corporation.

The most significant change to the application – which was made in response to concerns raised by the Dagsboro Town Council – is that the number of units proposed for the plan has been reduced from 513 to 430 comprised of the following: 134 single family lots, 98 single family home condominium units, 178 townhouses, and 20 apartment units.

The following is the response to each specific agency reviewing the application:

Office of State Planning Coordination

The revisions to the site plan, we believe, are in accordance with the recommendations of Better Models for Development. Specifically, road connections have been provided to the Coastal Supply property and road stubs are shown leading to other properties of the applicant. The applicant made efforts to include connections to the Savannah Square Shopping Center, but the owner of that property was not willing to allow an interconnection. Most dead-end streets and cul-de-sacs have been eliminated.

State Historic Preservation Office

The applicant will contact SHPO if artifacts are found.

Department of Transportation

- (1) The applicant looks forward to the conclusion of the North-South Study.
- (2) The applicant had a TIS prepared by Davis, Bowen and Friedel and DelDOT was provided a copy. The TIS several off-site improvements and the applicant plans to work with DelDOT to make those improvements.
- (3) The applicant contacted the owner of the Savannah Square shopping center, but he was unwilling to allow a vehicular connection to his project. A pedestrian connection is planned.
- (4) The applicant worked with the developer of the Coastal Supply property and they have coordinated a connected road.
- (5) We believe these comments have been addressed in the revised site plans. The site was difficult to plan around because of the numerous ditches.
- (6) The site plan has been completely revised.
- (7) Sidewalks and pedestrian paths are provided.
- (8) The applicant will work closely with DelDOT to coordinate the entrances.

The Department of Natural Resources

Impacts to wetlands have been minimized. The numerous ditches have greatly impacted the layout of the project, and they have been taken into consideration.

A thorough consideration of wetlands, TMDL's, and stormwater management plans will be provided once a preliminary site plan is approved.

State Fire Marshal

All SFMO requirements will be included in the plan.

Department of Agriculture

A landscaping plan will be provided after preliminary approval is obtained.

Public Service Commission

The applicant will work with the Town of Dagsboro to ensure that it is in compliance with the CPCN.

Delaware State Housing Authority

It is anticipated that the apartments and townhouses will provide more quality, affordable housing. More multi-family buildings were planned, but the Town of Dagsboro prefers more single family homes because they are more in keeping with the characteristics of the Town.

Delaware Emergency Management Agency

If the rezoning is permitted, the applicant will notify emergency services of the project.

Sussex County

Stub roads have been provided. The applicant has worked with the County Engineering Department to coordinate sewer services. The revised proposed density is now approximately 3.7 units/acre. From the beginning of the project, the applicant was aware that it would have to be phased to be in compliance with the capacity of the Piney Neck Treatment Facility.

The applicant has also received comments from Kyle Gulbranson, or URS, who was retained as a consultant on behalf of the Town of Dagsboro. Mr. Gulbranson also attended the PLUS comment session last year. In response to his comments, which have incorporated into them the PLUS review comments, the design of the project has twice been modified in July and October of this year in response to the PLUS and Town. The redesign now includes a reduction in the number of units to 430, with more than half being single family dwellings, interconnection with the adjacent residential project, a "town center", and other features, as requested by Dagsboro.

I hope the above responses are helpful. Please contact me if there is any further information that you require.

Yours truly,

Wilson, Halbrook and Bayard, P.A.


Dennis L. Schrader

cc: Mayor Bradley Conner, Town of Dagsboro
Mr. Kyle Gulbranson, URS Corporation
Mr. Ken Simpler, Riverview Associates